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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 JAMES WHEATON,

9 Petitioner,

Case No. 3:12-cv-00313-MMD-VPC

10 v. ORDER

11 JACK PALMER, et al.,

12 Respondents.

13 This is a habeas action pursuant to 28 U.S.C. § 2254. The Court appointed the
14 Federal Public Defender to represent petitioner. (Dkt. no. 46.) Before the Court is
15 petitioner's counseled motion to voluntarily dismiss his habeas petition. (Dkt. no. 53.)
16 Petitioner has also filed a declaration attesting that, after consulting with counsel, he
17 wishes to voluntarily dismiss this action. (Dkt. no. 53-1.) Petitioner further indicates that
18 he understands that such dismissal will bar him from seeking further federal habeas
19 review. (*Id.* at 2.) Respondents have not opposed.

20 It therefore is ordered that petitioner's voluntary motion to dismiss the petition
21 (dkt. no. 53) is granted. The petition is dismissed with prejudice.

22 It is further ordered that petitioner's first and second motions to extend time to file
23 an amended petition (dkt. nos. 51, 52) are both denied as moot.

24 It further is ordered that the Clerk shall enter judgment accordingly and close this
25 case.

26 DATED THIS 8th day of June 2015.

27 
28 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE